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## Austin City Council MINUTES

For OCTOBER 5, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the absence of Councilmember Carl-Mitchell.

### MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved minutes for regular meetings of September 14 and 21, 1989 and special meetings of September 13 and 19, 1989. (6-0 Vote, Councilmember Carl-Mitchell absent)

### TASK FORCE ON PARKLAND USE EXTENDED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved a sixty day extension, to December 7, 1989, of the Task Force on Parkland Use. (6-0 Vote, Councilmember Carl-Mitchell absent) This was approved after hearing a report from the Task Force.)

### ITEM POSTPONED

Postponed to October 12, 1989 is approval of appointments to the Anti-Apartheid Task Force.

### TAXICAB FRANCHISE ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved second reading of an ordinance approving the renewal of the Airline Taxi Taxicab Franchise. (6-0 Vote, Councilmember Carl-Mitchell absent.)

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved second reading of an ordinance approving the renewal of Roy's Taxi, Inc., Taxicab Franchise. (6-0 Vote, Councilmember Carl-Mitchell absent.)

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved second reading of an ordinance approving the renewal of the Yellow Checker Cab Company, Inc. Taxicab Franchise. (6-0 Vote, Councilmember Carl-Mitchell absent)

### DISANNEXATION

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved SECOND READING of an ordinance disannexing certain property annexed for limited purpose, pursuant to provisions of SB 962 and HB 3187.

10/5/89

C7ad-89-178 Approximately 490 plus acres, owned by Shellberg Tract Joint Venture, at Bullick Hollow Rd./FM 620 (309)

First Reading: September 21, 1989; 4-0 Vote, Mayor Pro Tem Shipman and Councilmember Barnstone abstained.

(4-0 Vote, Mayor Pro Tem Shipman and Councilmember Barnstone abstained, Councilmember Carl-Mitchell absent.)

Motion to Reconsider

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Shipman's second, voted to reconsider the motion. (6-0 Vote, Councilmember Carl-Mitchell absent)

Motion

The Council, on Councilmember Urdy's motion, Councilmember Barnstone's second, passed through SECOND AND THIRD READINGS of an ordinance disannexing certain property, C7ad-89-178 (see above) annexed for limited purpose, pursuant to provisions of SB 962 and HB 3187. (5-0 Vote, Mayor Pro Tem Shipman abstained, Councilmember Carl-Mitchell absent)

**MUSIC INDUSTRY LOAN PROGRAM**

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance to reappropriate \$150,000.00 from the Economic Development Endowment Trust fund to fund a Music Industry Loan Program. (\$100,000.00 from foreign-trade zone allocation; \$50,000.00 from industrial expansion and retention loan program fund balance)

**PROFESSIONAL ENGINEERING SERVICES**

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, adopted a resolution to select professional engineering services for the following: (a) Circle Drive (Southwest B) Reservoir, Gebhard Engineers, Inc. 5750 Balcones, No. 210, Austin, Texas (Estimated Cost: \$168,000.00) (b) Circle Drive Transmission Main (\$60,000.00) (Included in budget for C.I.P. Project No. 227916) Tye F. Collins & Associates, 8305 Shoal Creek Blvd., Austin, Texas - Water and Wastewater Department.

**ITEM POSTPONED**

Postponed to October 12, 1989 is approval of an agreement between the City of Austin, Texas and engineer/architect in connection with the City Art Museum Project not to exceed \$698,000.00 for the total basic and additional service fees - Department of Public Works and Transportation. C.I.P. No. 867600.

10/5/89

## ITEM PULLED

Pulled from the agenda was approval of second/third readings of an ordinance, Zoning Case C814-87-009, Austin Municipal Housing Association.

## SPEED LIMITS

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending the Austin City Code establishing the following speed limits: (6-0 Vote, Councilmember Carl-Mitchell absent)

Section 11-2-100(a) 35 mph

Delete: West Anderson Lane from Burnet Road to Loop 1, West Service Road

Section 11-2-100(a) 35 mph

Delete: Anderson Lane from Burnet Road to Lamar Boulevard

Section 11-2-100(a) 35 mph

Add: West Anderson Lane from Lamar Boulevard to Loop 1, West Service Road.

Section 11-2-99(d) 20 mph

Delete: Anderson Lane from 200 feet east of Lazy Lane to 130 feet west of Northwest Drive (Wooten School).

Add: Anderson Lane from 200 feet east of Lazy Lane to 130 feet west of Northwest Drive. (Wooten School)

## CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, adopted the following resolutions, all in one consent motion: (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Carl-Mitchell absent)

Authorize release of Electric and Telephone Easement located on a 3.17 acre tract of the Thomas Anderson Survey #17, locally known as 6112 Old Fredericksburg Road. (Request submitted by Carlton D. Yarbrough, Jr. on behalf of the United States Postal Services. - \$250.00 fee has been paid.)

Authorize release of a portion of the 7.5' Public Utility Easement located on Lot 23, Block E, Tanglewood Forest Section One, locally known as 9205 Kempler Drive. (Request submitted by Richie Properties on behalf of Meritor Financial Markets - \$250.00 fee has been paid)

Approve a License Agreement for Installation of a 48 inch Drainage Culvert under and across City-owned railroad right-of-way at Milepost 153.30 in Llano, Texas. (\$550.00 application review fee to be paid by licensee)

10/5/89

Approve an amendment to the Intergovernmental Agreement between Travis County and the City of Austin, Texas regarding the construction of improvements to Burleson Road and the City of Austin Water and Wastewater System to establish more specific terms as to the proportionate share of costs and termination of agreement. (Estimated construction cost - \$4,900,000.00 to be funded from water projects approved in 1982 Bond Program.)

Approve Supplemental Amendment No. 1 to the Project Management Services contract with the Gilbane Building Company for the Austin Convention Center for a term not exceeding October 31, 1989, at a cost of not-to exceed \$110,000.00. Project No: 807502 C.I.P. Serial No: 79/80-04

Approve a sole source contract to PSW3 INCORPORATED, 1390 Market Street, Suite 908, San Francisco, California for Software including First Year Maintenance in an amount not to exceed \$30,000.00 Third Party Financing - Austin Police Department. 0% M/WBE Subcontractor participation SA-263-89

Approve a contract award to ROCKFORD BUSINESS INTERIORS, P. O. Box 1828, Austin, Texas, for Modular Furniture and Panels for the CATV, Central Access Facility in an amount not to exceed \$49,756.00 from the Access Fund. (Low bid of three (3) bids - 0% MBE/WBE Subcontract Participation) 89-0203-KK

Approve the service extension and the authorization of City cost participation of approximately 1,500 feet of 8-inch and 1,500 feet of 12-inch pipe extending from the North Branch Slaughter Creek Interceptor to Hamilton South Tract located just South of the Slaughter Lane and IH-35 intersection for the Water and Wastewater Department. (\$21,000.00 funding provided from Approach Main Cost Participation Transfers - Fund: 05023, object No: 2841. These funds will be available for this extension per contract 1 year after completion.)

Approve submission and acceptance of a grant application to the State Department of Highways and Public transportation (SDHPT) for a Traffic Light Synchronization Grant. (Anticipated \$210,000.00 for the first year - 25% local share required which will be in-kind services)

Approve permitting the placement of a commemorative sign on City property at 43rd and Speedway, referencing the Hyde Park Neighborhood.

Authorize application for and acceptance of a grant on behalf of the Austin Housing Authority (AHA), of up to \$25,000.00 from the United States Department of Housing and Urban Development (HUD) to establish a Youth Sports Club.

#### NEW AUSTIN AIRPORT

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved ratification of the City Manager's acceptance of a Federal Aviation Administration Grant offer in the amount of \$5,000,000.00 for property acquisition for the new Austin airport. (City's matching share for this grant is \$1,250,000.00 which is available in the Aviation C.I.P. and from issuance of airport revenue bonds) (6-0 Vote, Councilmember Carl-Mitchell absent.)

## ITEM PULLED

Pulled from the agenda was an ordinance to amend Title XIII (Land Development Code), Chapter 13-1 (Land Development Procedures), of the Austin City Code of 1981; exempting Austin Independent School District from notice requirements, the relocation or demolition of certain structures pursuant to a relocation permit or demolition permit; exempting from appeal the relocation permit or demolition of certain structures pursuant to a relocation permit or demolition permit.

## ITEM POSTPONED

Postponed to October 12, 1989 is consideration of authorizing the City Manager to determine property interest, negotiate with landowners, and purchase property interest for the new Austin airport.

## LAND ACQUISITION FOR NEW AIRPORT

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved the professional services agreement with ZR&R, Inc. for land acquisition services for the new Austin airport in the total negotiated amount of \$4,452,278.00. (5-0 Vote, Councilmember Humphrey abstained, Councilmember Carl-Mitchell absent)

## EXECUTIVE SESSION

Mayor Cooke announced Council would enter into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending Litigation - Section 2, Paragraph e

(a) City of Austin v. Texas Water Commission  
(MUD rate case)

## RECESS

Council recessed its meeting from 2:00 to 3:00 P.M.

## PUBLIC HEARING - ECONOMIC DEVELOPMENT ELECTRIC RATE

Mayor Cooke opened the public hearing set for 3:00 P.M. on establishing an economic development electric rate for manufacturing firms expanding their operations or locating their operations in the Austin Electric Utility service area. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, closed the public hearing. (4-0 Vote, Councilmembers Barnstone and Urdy out of the room, Councilmember Carl-Mitchell absent.)

10/5/89

## ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed the public hearings and designated as follows:

Recommended by the Planning Commission, As Requested:

C14-89-0040 - MICHAEL MCHONE, 611 West 22nd Street, from "GO-H" to "GO-MU-H".  
RECOMMENDED POSTPONED TO NOVEMBER 2, 1989

C14-89-0049 - DAVID CABELL, by Jeryl Hart, 2809-2823 Montopolis Drive, from "LI" to "GR". RECOMMENDED FIRST READING

C14h-79-004 - SWISHER-SCOTT HOUSE, by David Bland, 2408 Sweetbrush Drive, from "SF-3" to "SF-3-H". RECOMMENDED ORDINANCE

Recommended by the Planning Commission, As Requested, With Conditions:

C14-89-0043 - BILLY COX, by CRE, Inc., 5510 U.S. Hwy 290 West, from "DR" to "GR & LR". RECOMMENDED "GR-CO", subject to berm signs only (free standing/low profile).  
ORDINANCE

C14-89-0048 - JOHN D. BYRAM, by William J. Scudder, 9400-9424 IH-35 South and Turk Lane, from "SF-2" to Tr. 1 "LI" and Tr. 2 "CS". RECOMMENDED "LI-CO" for Tract 1 and "CS-CO" for Tract 2, limiting overall retail development to a .166 FAR and requiring dedication of 45 feet of right-of-way from the centerline of Turk Lane.  
FIRST READING

NOT Recommended by the Planning Commission:

C14r-85-116 - PETER J. FEARS, WILBUR A. FOSTER & TIMOTHY P. BYRNE, by Don Bird, 1300 IH-35 North, 807 and 809 East 14th Street & 808 and 810 East 13th Street, from "MF-4", "MF-4-H" to "GO" & "GO-H". NOT RECOMMENDED WITHDRAWN

Request for Six-Month Extension:

C14-88-0135 - DR. G. R. F. LEGGETT, by Carey Legett, III, 5900-6100 Johnny Morris Road, from "SF-3" to "LI-CO" & "W/LO-CO" APPROVED

C14-88-0136 - DR. G. R. F. LEGGETT, by Carey Legett, III, 6100-6200 Johnny Morris Road, from "SF-3" to "LI-CO" & "W/LO-CO" APPROVED

C14-88-0137 - DR. G. R. F. LEGGETT, by Carey Legett, III, 6200-6400 Johnny Morris Road, from "SF-3" to "LI-CO" APPROVED

C814-89-0002 SETTLEMENT CLUB PUD, By James M. Nias, 1600 Peyton Gin Road, From "SF-3" & "SF-3-H" to "PUD" & "PUD-H"

APPROVED

(On Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent)

ITEM POSTPONED

Postponed to October 19, 1989 is approval of a license agreement for two 12'x25' double faced poster sign boards on City-owned railroad right-of-way near Milepost 153.91 to Norwood Outdoor, Inc.

CITIZEN COMMUNICATIONS

Richard Halpin discussed the Creative Rapid Learning Center as a national model program. Sidney B. Grief talked about the commercial enterprise zone on Congress Avenue and Sixth Street. Mr. Jost Craig Von Steiger did not speak. Paul Robbins talked about energy issues and energy conservation.

ADJOURNMENT

Council adjourned its meeting at 5:55 P.M.